

NOTICE OF INTENT

To Comply With the Terms of General Waste Discharge Requirements
Order No. R5-2010-XXXX
For the Dairies with Anaerobic Digesters or Co-Digester Facilities

Mark Only One Item	1. <input type="checkbox"/> New or expanded dairy with an anaerobic digester (Please include a copy of your conditional use permit or CEQA document for the operation of the dairy) 2. <input type="checkbox"/> Existing dairy with an anaerobic digester
--------------------	---

FACILITY INFORMATION

A. NAME OF DAIRY OR BUSINESS OPERATING THE DAIRY: _____

PHYSICAL ADDRESS OF DAIRY:

Number and Street	City	County	Zip Code
-------------------	------	--------	----------

COUNTY ASSESSOR PARCEL NUMBER(S) FOR DAIRY FACILITY: _____

CONTACT PERSON: _____ TELEPHONE NO. _____

B. NAME OF LAND OWNER: _____

ADDRESS:

Number and Street	City	County	Zip Code
-------------------	------	--------	----------

TELEPHONE NO. _____ RECEIVE CORRESPONDENCE: ☐ YES ☐ NO

C. NAME OF DAIRY OWNER: _____

ADDRESS:

Number and Street	City	County	Zip Code
-------------------	------	--------	----------

TELEPHONE NO. _____ RECEIVE CORRESPONDENCE: ☐ YES ☐ NO

Attachment A, Notice of Intent
Waste Discharge Requirements General Order No. R5-2010-XXXX
Dairies With Anaerobic Digester or Co-Digester Facilities

2

D. NAME OF DAIRY OPERATOR: _____

ADDRESS:

Number and Street City County Zip Code

TELEPHONE NO. _____ RECEIVE CORRESPONDENCE: [] YES [] NO

E. NAME OF DIGESTER OWNER: _____

ADDRESS:

Number and Street City County Zip Code

TELEPHONE NO. _____ RECEIVE CORRESPONDENCE: [] YES [] NO

F. NAME OF DIGESTER OPERATOR: _____

ADDRESS:

Number and Street City County Zip Code

TELEPHONE NO. _____ RECEIVE CORRESPONDENCE: [] YES [] NO

G. ADDRESS WHERE LEGAL NOTICE MAY BE SENT:

Number and Street City County Zip Code

CONTACT PERSON: _____ TELEPHONE NO. _____

H. BILLING ADDRESS:

Number and Street City County Zip Code

CONTACT PERSON: _____ TELEPHONE NO. _____

DIGESTER OR CO-DIGESTER FACILITY CEQA COMPLIANCE ASSESSMENT

The following checklist provides a means for the applicant to report on compliance with the mitigation measures identified in the Program Environmental Impact Report (EIR) for Dairy Manure Digester and Co-Digester Facilities (i.e., SCH #20100331085). Alternative documentation may be acceptable provided it demonstrates to staff's satisfaction that it adequately demonstrates compliance with the Final Program EIR's mitigation measures for each covered resource area with potentially significant impacts (e.g., Chapter 6: Air Quality and Greenhouse Gas Emissions). Items checks as "IN PROGRESS" must be accompanied by an explanation.

A. HYDROLOGY AND WATER QUALITY

HAVE YOU COMPLETED A FACILITY INFORMATION REPORT (FIR) IN ACCORDANCE WITH THE REQUIREMENTS OF THE WASTE DISCHARGE REQUIREMENT GENERAL ORDER NO. R5-2010-XXXX?

_____ YES _____ NO _____ IN PROGRESS

IF YES, DOES YOUR FIR INCLUDE THE FOLLOWING?

1. MONITORING WELL INSTALLATION AND SAMPLING PLANⁱ;
2. NUTRIENT MANAGEMENT PLAN;
3. WASTE MANAGEMENT PLAN;
4. SALT MINIMIZATION PLAN; AND
5. WASTEWATER RETENTION POND DESIGN PLAN.

_____ YES _____ NO _____ IN PROGRESS

B. AIR QUALITY

1. HAVE YOU COMPLETED AN AIR QUALITY TECHNICAL REPORTⁱⁱ? IF YES, PLEASE ATTACH A COPY OF THE REPORT.

_____ YES _____ NO _____ IN PROGRESS

HAS THE AIR QUALITY TECHNICAL REPORT BEEN APPROVED BY THE APPROPRIATE LOCAL AIR DISTRICT? PLEASE ATTACH ALL LOCAL AIR DISTRICT CORRESPONDANCE.

_____ YES _____ NO _____ IN PROGRESS

2. HAVE YOU SUBMITTED A CONSTRUCTION DUST CONTROL PLAN TO THE LOCAL AIR DISTRICT? IF YES, PLEASE ATTACH A COPY OF THE REPORT.

_____ YES _____ NO _____ IN PROGRESS

HAVE YOU REQUIRED THAT CONSTRUCTION CONTRACTORS AND SYSTEM OPERATORS THAT WOULD BE COMPLETING WORK AT YOUR FACILITY IMPLEMENT AIR QUALITY BEST MANAGEMENT PRACTICESⁱⁱⁱ?

_____ YES _____ NO _____ IN PROGRESS

Attachment A, Notice of Intent
Waste Discharge Requirements General Order No. R5-2010-XXXX
Dairies With Anaerobic Digester or Co-Digester Facilities

4

3. HAVE YOU COMPLETED AN ODOR MANAGEMENT PLAN^{iv}? IF YES, PLEASE ATTACH A COPY OF THE REPORT.

_____ YES _____ NO _____ IN PROGRESS

HAVE YOU SUBMITTED THE ODOR MANAGEMENT PLAN TO THE LOCAL AIR DISTRICT, LOCAL PLANNING DEPARTMENT, AND LOCAL ENFORCEMENT AGENCY? ATTACH ALL LOCAL AIR DISTRICT, LOCAL PLANNING DEPARTMENT, AND LOCAL ENFORCEMENT AGENCY CORRESPONDENCE.

_____ YES _____ NO _____ IN PROGRESS

C. LAND USE AND AGRICULTURAL RESOURCES

ARE ANY PROJECT RELATED FACILITIES OF-SITE OF A DAIRY SITED ON IMPORTANT FARMLAND^v AS DEFINED BY THE CALIFORNIA DEPARTMENT OF CONSERVATION'S FARMLAND MAPPING AND MONITORING PROGRAM (INCLUDE MAP)?

_____ YES _____ NO _____ IN PROGRESS

IF YES, PROVIDE OVER-RIDING JUSTIFICATION FOR THE CHOICE OF LOCATION.

D. TRANSPORTATION AND TRAFFIC

WILL THE PROJECT INVOLVE THE INSTALLATION OF PIPELINE WITHIN THE EXISTING ROADWAY RIGHT-OF-WAY?

_____ YES _____ NO _____ IN PROGRESS

IF YES, ATTACH A COPY OF THE ROAD ENTROACHMENT PERMIT AND ANY REQUIRED TRAFFIC SAFETY/TRAFFIC MANAGEMENT PLAN(S)^{vi} (FOR WORK IN THE PUBLIC RIGHT-OF-WAY).

E. BIOLOGICAL RESOURCES

1. HAVE YOU COMPLETED A BIOLOGICAL SITE ASSESSMENT REPORT^{vii}? IF YES, PLEASE ATTACH A COPY OF THE REPORT.

_____ YES _____ NO _____ IN PROGRESS

HAS THE REPORT BEEN APPROVED BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME (CDFG)? PLEASE ATTACH ALL CDFG CORRESPONDANCE.

_____ YES _____ NO _____ IN PROGRESS

2. DOES THE BIOLOGICAL SITE ASSESSMENT DETERMINE THAT SPECIAL-STATUS SPECIES COULD BE AFFECTED BY FACILITIES DEVELOPMENT?

_____ YES _____ NO _____ IN PROGRESS

IF YES, HAVE YOU SUBMITTED A PLAN PREPARED BY A QUALIFIED BIOLOGIST, TO MITIGATE OR AVOID ANY SIGNIFICANT IMPACTS ON SPECIAL-STATUS SPECIES TO THE CDFG, THE ENDANGERED SPECIES UNIT OF THE U.S. FISH AND WILDLIFE

SERVICE (USFWS) IN SACRAMENTO, AND/OR NATIONAL MARINE FISHERIES SERVICE (NMFS).

_____ YES _____ NO _____ IN PROGRESS

HAS THE PLAN BEEN APPROVED BY CDFG, THE ENDANGERED SPECIES UNIT OF THE USFWS IN SACRAMENTO, AND/OR NMFS) CORRESPONDENCE? ATTACH ALL CDFG, THE ENDANGERED SPECIES UNIT OF THE USFWS IN SACRAMENTO, AND/OR NMFS CORRESPONDENCE INCLUDING THE PLAN.

_____ YES _____ NO _____ IN PROGRESS

3. DOES THE BIOLOGICAL SITE ASSESSMENT DETERMINE THAT THE PROJECT IS LIKELY TO AFFECT BIOLOGICALLY UNIQUE OR SENSITIVE NATURAL COMMUNITIES?

_____ YES _____ NO _____ IN PROGRESS

IF YES, HAVE YOU SUBMITTED A PLAN PREPARED BY A QUALIFIED BIOLOGIST, TO MITIGATE OR AVOID ANY SIGNIFICANT IMPACTS ON BIOLOGICALLY UNIQUE OR SENSITIVE NATURAL COMMUNITIES TO THE CDFG, THE ENDANGERED SPECIES UNIT OF THE USFWS IN SACRAMENTO, AND/OR NMFS.

_____ YES _____ NO _____ IN PROGRESS

HAS THE PLAN BEEN APPROVED BY CDFG, THE ENDANGERED SPECIES UNIT OF THE USFWS IN SACRAMENTO, AND/OR NMFS CORRESPONDENCE? ATTACH ALL CDFG, THE ENDANGERED SPECIES UNIT OF THE USFWS IN SACRAMENTO, AND/OR NMFS CORRESPONDENCE INCLUDING THE PLAN.

_____ YES _____ NO _____ IN PROGRESS

4. DOES THE BIOLOGICAL SITE ASSESSMENT DETERMINE THAT THE PROJECT IS LIKELY TO AFFECT WATERS OF THE STATE AND/OR UNITED STATES INCLUDING WETLANDS?

_____ YES _____ NO _____ IN PROGRESS

IF YES, ATTACH A COPY OF THE APPROPRIATE PERMITS^{viii} TO ALLOW THE IMPACT TO WATERS OF THE STATE AND/OR UNITED STATES INCLUDING WETLANDS AND ALL CDFG, ARMY CORPS OF ENGINEERS, AND CENTRAL VALLEY WATER BOARD CORRESPONDENCE.

F. HAZARDS AND HAZARDOUS MATERIALS

DOES A STANDARD "PHASE I TYPE" ELECTRONIC RECORD SEARCH IDENTIFY ACTIVE SOIL OR GROUNDWATER CONTAMINATION CASES WITHIN A QUARTER MILE OF DAIRY DIGESTER CONSTRUCTION RELATED EARTH DISTURBING ACTIVITIES? PLEASE ATTACH A COPY OF THE ELECTRONIC RECORD SEARCH.

_____ YES _____ NO _____ IN PROGRESS

Attachment A, Notice of Intent
Waste Discharge Requirements General Order No. R5-2010-XXXX
Dairies With Anaerobic Digester or Co-Digester Facilities

6

IF YES, ATTACH CONSTRUCTION RECOMMENDATIONS^{ix} TO PROTECT WORKERS FROM HAZARDOUS MATERIALS DURING EARTH MOVING ACTIVITIES. .

G. AESTHETIC RESOURCES

HAVE YOU COMPLETED A VISUAL ASSESSMENT REPORT^x? IF YES, PLEASE ATTACH A COPY OF THE REPORT.

_____ YES _____ NO _____ IN PROGRESS

HAVE YOU SUBMITTED THE VISUAL ASSESSMENT REPORT TO THE LOCAL PLANNING DEPARTMENT? ATTACH ALL PLANNING DEPARTMENT CORRESPONDENCE.

_____ YES _____ NO _____ IN PROGRESS

H. CULTURAL RESOURCES

1. HAVE YOU COMPLETED A CULTURAL RESOURCES INVENTORY REPORT^{xi}? IF YES, PLEASE ATTACH A COPY OF THE REPORT.

_____ YES _____ NO _____ IN PROGRESS

DOES THE CULTURAL RESOURCES INVENTORY REPORT INDICATE IF CONSTRUCTION RELATED IMPACTS TO CULTURAL RESOURCES ARE POTENTIALLY SIGNIFICANT?

_____ YES _____ NO _____ IN PROGRESS

IF YES, SUBMIT PROJECT-LEVEL CULTURAL RESOURCES MITIGATION PLAN.

I. GEOLOGY

HAVE YOU PREPARED CONSTRUCTION PLANS FOR THE PROJECT DETAILING COMPLIANCE WITH LOCAL, STATE, AND FEDERAL REGULATION REGARDING BUILDING CODE REQUIREMENTS? IF YES, PLEASE ATTACH A COPY OF THE PLANS.

_____ YES _____ NO _____ IN PROGRESS

HAVE THE CONSTRUCTION PLANS BEEN APPROVED BY THE APPROPRIATE LOCAL BUILDING DEPARTMENT? PLEASE ATTACH ALL LOCAL BUILDING DEPARTMENT CORRESPONDENCE.

_____ YES _____ NO _____ IN PROGRESS

J. NOISE

HAVE YOU PREPARED AN ACOUSTIC REPORT^{xii} THAT ADDRESSES CONSTRUCTION AND OPERATIONAL NOISE LEVELS? IF YES, PLEASE ATTACH A COPY OF THE PLAN.

_____ YES _____ NO _____ IN PROGRESS

K. PUBLIC SERVICES

WILL THE PROJECT OBTAIN WATER FROM A WATER SUPPLIER (IRRIGATION DISTRICT, MUNICIPAL SYSTEM OR OTHER PUBLIC WATER ENTITY) OR OBTAIN WASTEWATER SERVICE FROM A WASTEWATER TREATMENT PROVIDER (MUNICIPAL OR OTHER PUBLIC ENTITY)? IF YES, PLEASE PROVIDE DOCUMENTATION DETAILING THE AGREEMENT FOR SERVICE FOR THE PROPOSED PROJECT.

_____ YES _____ NO _____ IN PROGRESS

ⁱ Please note that within 45 days after completion of any monitoring well, the Discharger shall submit to the Executive Officer a Monitoring Well Installation Completion Report (MWICR) as detailed in Attachment A of Monitoring and Reporting Program R5-2010-XXXX. Additionally, as specified by Provision E.14 of the Order, groundwater must be sampled quarterly for a minimum of two quarters prior to the initiation of discharge at a new dairy and /or dairy digester/co-digester facility.

ⁱⁱ The Air Quality Technical Report shall be prepared by a qualified air quality specialist. The report shall include an analysis of potential air quality impacts (including a screening level analysis to determine if construction and operation related criteria air pollutant emissions would exceed applicable air district thresholds, as well as any health risk associated with TACs from all dairy digester or co-digester facility sources) and reduction measures as necessary associated with digester developments through the environmental review process. Preparation of the technical report should be coordinated with the appropriate air district and shall identify compliance with all applicable New Source Review and Best Available Control Technology (BACT) requirements. The technical report shall identify all project emissions from permitted (stationary) and non-permitted (mobile and area) sources and mitigation measures (as appropriate) designed to reduce significant emissions to below the applicable air district thresholds of significance, and if these thresholds cannot be met with mitigation, then the individual digester project could require additional CEQA review or additional mitigation measures.

ⁱⁱⁱ Applicants shall require construction contractors and system operators to implement the following Best Management Practices (BMPs) as applicable during construction and operations:

- Facilities shall be required to comply with the rules and regulations from the applicable AQMD or APCD. For example, development of dairy digester and co-digester facilities in the SJVAPCD jurisdiction shall comply with the applicable requirements of Regulation VIII (Fugitive PM₁₀ Prohibitions) and Rule 9510 (Indirect Source Review).
- Use equipment meeting, at a minimum, Tier II emission standards, as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, §2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site.
- Comply with state regulations to minimize truck idling.
- Maintain all equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.
- Use electric equipment when possible.
- Payment into an AQMD or APCD operated Voluntary Emission Reduction Agreement (VERA).

- Incorporate fuel cells where feasible as an alternative to internal combustion engines, which generate NOx emissions, to generate energy from the biogas produced at dairy digester and co-digester facilities.

Where feasible as an alternative to internal combustion engines, which generate NOx emissions, use biogas from dairy manure digester and co-digester projects as a transportation fuel (compressed biomethane) or inject biomethane into the utility gas pipeline system.

^{iv} The Odor Management Plan shall be prepared by a qualified air quality specialist. The report shall include information on compliance with appropriate local land use plans, policies, and regulations, including applicable setbacks and buffer areas from sensitive land uses for potentially odoriferous processes. The Odor Management Plan shall also specifically address odor control associated with digester operations and needs to include:

- A list of potential odor sources.
- Identification and description of the most likely sources of odor.
- Identification of potential, intensity, and frequency of odor from likely sources.
- A list of odor control technologies and management practices that could be implemented to minimize odor releases. These management practices shall include the establishment of the following criteria:
 - Establish time limit for on-site retention of undigested co-substrates (i.e., organic co-substrates must be put into the digester within 48 hours of receipt).
 - Provide negative pressure buildings for indoor unloading. Treat collected foul air in a biofilter or air scrubbing system.
 - Establish contingency plans for operating downtime (e.g., equipment malfunction, power outage).
 - Manage delivery schedule to facilitate prompt handling of odorous co-substrates.
 - Modification options for land application practices if land application of digestate results in unacceptable odor levels.
 - Protocol for monitoring and recording odor events.

^v Whenever feasible, project related facilities off-site of a dairy should not be sited on Important Farmland as defined by the California Department of Conservation's Farmland Mapping and Monitoring Program.

^{vi} As required by the road encroachment permit process, the contractor(s) will submit a traffic safety / traffic management plan (for work in the public right-of-way) to the agencies having jurisdiction over the affected roads. Elements of the plan will likely include, but are not necessarily limited to, the following:

- Develop circulation and detour plans to minimize impacts to local street circulation. Use haul routes minimizing truck traffic on local roadways to the extent possible. Use flaggers and/or signage to guide vehicles through and/or around the construction zone.
- To the extent feasible, and as needed to avoid adverse impacts on traffic flow, schedule truck trips outside of peak morning and evening commute hours.
- Limit lane closures during peak traffic hours to the extent possible. Restore roads and streets to normal operation by covering trenches with steel plates outside of allowed working hours or when work is not in progress.
- Limit, where possible, the pipeline construction work zone to a width that, at a minimum, maintains alternate one-way traffic flow past the construction zone.

- Install traffic control devices as specified in Caltrans' Manual of Traffic Controls for Construction and Maintenance Work Zones where needed to maintain safe driving conditions. Use flaggers and/or signage to safely direct traffic through construction work zones.
- Coordinate with facility owners or administrators of sensitive land uses such as police and fire stations, hospitals, and schools. Provide advance notification to the facility owner or operator of the timing, location, and duration of construction activities.
- To the maximum extent feasible, maintain access to private driveways located within construction zones.
- Coordinate with the local public transit providers so that bus routes or bus stops in work zones can be temporarily relocated as the service provider deems necessary.

vii The Biological Site Assessment Report shall be prepared by a qualified wildlife biologist. It shall:

- Evaluate the project site's potential to support special-status plant and wildlife species (including critical habitat) and whether special-status species could be affected by dairy digester and co-digester development, including construction and operations.
- Determine if the project is likely to affect biologically unique or sensitive natural communities.
- Determine if the project is likely to affect waters of the State and/or U.S., including wetlands.

viii This could include obtaining a Clean Water Act Section 404 permit, Section 401 Water Quality Certification or Waiver, a Section 1602 Streambed Alteration Agreement, and any other applicable permits.

ix The recommendations should be prepared by a Registered Environmental Assessor (REA) or a Health & Safety Professional and be based on further review of the contamination cases within a quarter mile and a site inspection of the proposed areas of ground disturbing activities.

x The Visual Assessment Report shall be prepared by a qualified planner. It shall:

- Provide information indicating project compliance with the siting of centralized facilities such that they don't conflict with local policies for preservation of vistas or scenic views.
- Determine the need for site specific mitigations to minimize potentially sensitive views of both digester facilities at dairies or off dairies at centralized facilities considering the scale of the facilities, the site specific topography, site specific landscape design, including berms and/or tree rows, shall be constructed in order to minimize potentially sensitive views.
- Provide design information for centralized facilities such that they are similar in massing and scale to other nearby agricultural buildings in agricultural areas, in order to retain the character of the surrounding landscape.
- Providing information indicating project compliance with the implementation of the following construction mitigation measures: 1) Main construction staging areas and the storage of large equipment shall be situated on individual sites in such a manner to minimize visibility to nearby receptors. As feasible, staging areas and storage shall occur away from heavily traveled designated scenic roadways, in areas where it will be least visible from the surrounding roads; 2) Construction staging areas shall be onsite and remain clear of all trash, weeds and debris, etc. Construction staging areas shall be located in areas that limit visibility from scenic roadways and sensitive receptors to the extent feasible.
- Determine the need for site specific mitigations with regard to flares. Whenever possible, flares shall be situated on individual sites in such a manner to minimize visibility to nearby receptors. Site specific design shall discourage placement of flares at higher elevations, or within the line of sight of nearby residential buildings or scenic highways. In the event that site design does not provide

adequate coverage, an enclosed flare design shall be used or landscaping, such as berms or tree rows, shall be constructed to minimize light impacts.

^{xi} The Cultural Resources Inventory Report shall be prepared by one or more qualified cultural resources professionals. It shall:

- Contain a record search at the appropriate information center of the California Historical Resources Information System (CHRIS) to determine whether the project area has been previously surveyed and whether cultural resources were identified; and (2) record of a consult with the NAHC to determine whether known sacred sites or traditional cultural resources are situated within the project area, and identify the Native American(s) to contact to obtain information about the project area.
- Recommend whether a survey is warranted to satisfy the requirements of CEQA based on the sensitivity of the project area for cultural resources in the event the CHRIS records search indicates that no previous survey has been conducted. If, for example, the existing dairy or agricultural land proposed for establishment of a digester or co-digester facility was constructed entirely on fill, as shown by original and final contour drawings, a surface survey for archaeological resources would not be warranted.
- As necessary, the report shall contain the results of project-level survey prior to the start of ground disturbance. For projects that constitute federal undertakings, as described in the Federal Agencies section of the Introduction (Chapter 2), the cultural resources study shall be prepared in accordance with Section 106 of the NHPA. The cultural resources study and inclusive mitigation measures shall form the basis for the cultural resources component of the project-level environmental documentation prepared for the project under Section 106.
- If the project area contains potentially historically significant built environmental resources (i.e., over 50 years of age), a qualified architectural historian shall evaluate whether the built environmental resource is historically significant.
- If the survey, CHRIS record search, NAHC search or built resource evaluation indicate cultural resources are located within a project area a qualified archaeologist and/or architectural historian (depending on applicability) shall assess the significance of the resources according to applicable federal, state, and local significance criteria. If the cultural resources are determined significant historical resources, the report shall recommend the need for a project-level Cultural Resources Mitigation Plan.

^{xii} The Acoustic Report shall be prepared by a qualified acoustic specialist. It shall:

- Providing information indicating project compliance with the implementation of the following construction mitigation measures: 1) Construction contractors shall comply with all local noise ordinances and regulations; 2) Construction activities shall be limited to daytime hours, between 7 a.m. and 6 p.m., Monday through Saturday, or an alternative schedule established by the local jurisdiction; 3) Construction equipment noise shall be minimized by muffling and shielding intakes and exhaust on construction equipment to a level no less effective than the manufacture's specifications, and by shrouding or shielding impact tools; 4) Construction contractors within 750 feet of sensitive receptors shall locate fixed construction equipment, such as compressors and generators, and construction staging areas as far as possible from nearby sensitive receptors.
- Determine the need for site specific mitigations with regard to continuous equipment operation at night. Any continuous equipment operating at night within 1,000 feet of a sensitive receptor must be enclosed. Furthermore, an acoustic study and follow-up measurements must be performed (after construction) to prove that the noise from any continuous equipment operating at night would comply with all local noise regulations. If no local regulations are available, noise levels must be below 45 dBA at the nearest sensitive receptor. If the sound level exceeds local regulations, or 45 dBA if applicable, additional sound-proofing shall be installed to meet the required sound level.